

RECEIVED  
FEC MAIL  
OPERATIONS CENTER

2002 SEP 16 A 11:38



September 5, 2002

Nicholas Ebinger  
Ron Oliver  
Chairman  
Federal Election Commission  
Washington, DC 20463

Re: Letter RQ-2

Dear Mr. Ebinger:

We have gathered the information you requested in your letter of August 21, 2002. Our explanation is as follows:

1. Schedule A supporting line 15 payment by Federal candidate:

The payment by Marion Berry for Congress was for filing fees. These fees is a normal charge for anyone in Arkansas running for that position. The payment by Friends of Blanche Lincoln was a reimbursement for postage. This too was at the normal postal rate.

2. Schedule A contributions that appear to exceed limit.

The contribution by J.D. Billie and Joe Holmes were for filing fees. We are sending an amended report and moving these two entries to Schedule A line 15.

3. Multiple Schedule H's.

This was a glitch in our software and has since been corrected. This will be included in our amended report.

4. Additional information needed on Schedule H-4 concerning consulting and contract labor.

See amended report.

5. Schedule H- memo portion of credit cards

This was a software problem that resulted from direct filing. We have corrected this and is included in our amended report.

Nicholas Ebinger  
September 5, 2002  
Page Two

6. Filing reports with wrong coverage.

The only reports that have been filed differently from your list were based upon the letters we have attached. We followed your guidelines.

I hope these answers help you with your review.

Sincerely,

A handwritten signature in dark ink, appearing to read 'M. Vaden', written over a horizontal line.

Marcus Vaden  
Treasurer

AUG-28-2001 11:19

FEC REPORTS ANALYSIS



## FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 28, 2001

Attn: Michael Cook  
Democratic Party of Arkansas  
FAX: 501-376-11409

Re: 2001 Filing Dates

Dear Mr. Cook:

Per our conversation this morning, here is the list of reports your committee will be required to file:

- 12 Day Pre-General Report (7/1 - 10/31); due 11/8/01
- 30 Day Post-General Report (11/1 - 12/10); due 12/20/01
- Year End Report (12/11 - 12/31); due 1/31/01

Please note that any independent expenditure activity which would ordinarily warrant a 24-hr notice in an election year would warrant one for this election as well. Otherwise, the reports cited above will be the only documents your committee will be required to file with the Commission.

If you have any further questions, feel free to call me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nick Ebinger".

Nick Ebinger

## Filing dates for the Democratic Party of Arkansas

Ms. Sajak:

Use these reporting dates if your committee makes contributions or expenditures in connection with both the primary and general federal elections. According to the message you left, that seems to be the case.

Report	Coverage Dates	Filing Date
1st Quarter	1/1-3/31	April 15
Pre-Primary	4/1-5/1	May 9
2nd Quarter	5/2-6/30	July 15
3rd Quarter	7/1-9/30	October 15
Pre-General	10/1-10/16	October 24
Post-General	10/17-11/25	December 5
Year-End	11/26-12/31	January 31, 2003

If you have any further questions, as always, feel free to call me at 202-694-1143.

-Nick Ebinger



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

Marcus Vaden, Treasurer  
Democratic Party of Arkansas  
1300 West Capitol Avenue  
Little Rock, AR 72201

AUG 21 2002

Identification Number: C00024372

Reference: May Monthly Report (4/1/02-4/30/02)

Dear Mr. Vaden:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

Schedule A supporting Line 15 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee. 11 CFR §100.7(a)(1)(iii)(A) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.7(a)(1)(iii)(B)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to the federal candidate committee(s) and explain the steps your committee took in determining the amount(s) charged. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution by your committee to the federal candidate committee(s) and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.7(a)(1)(iii)(A))

## DEMOCRATIC PARTY OF ARKANSAS

PAGE 2

2  
*[Handwritten: "Schedule A"]*  
 -Schedule A of your report (pertinent portion(s) attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

## DEMOCRATIC PARTY OF ARKANSAS

PAGE 3

*(Handwritten: 12)*

-Your report includes multiple Schedules H1, with varying ballot composition ratios. Please amend your report to provide only one Schedule H1. Schedule H1 must be filed with the first report each year for National, State and Local party committees, and with the first report filed in the two-year election cycle for Separate Segregated Funds and Non-connected committees. All shared administrative and generic voter drive costs incurred during the two-year cycle must be allocated according to this ratio, unless the federal account elects to pay a higher percentage of its cost. 11 CFR §106.5(b)(2), (d)(1), (d)(2) and 11 CFR §§104.10(b)(1)(ii)(B) and 106.6(c)

*(Handwritten: 4)*

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): "contract labor", "consulting" and "consultation". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

*(Handwritten: 12)*

-Schedule H4 discloses payments made to credit card companies for shared federal and non-federal activity. Please be advised that these payments must identify as memo entries, the original vendors from which you have purchased an item or service regardless of the amount. Please amend your report by providing the name and mailing address of the original vendor, along with the date, amount and purpose of each expenditure. 11 CFR §104.10.

*(Handwritten: 5/12/02)*

-It has come to the attention of the Federal Election Commission that the reports you have filed during the current election cycle do not reflect the appropriate coverage dates for quarterly filing status. Please be advised of the filing dates and coverage periods for the 2001-2002 election cycle and fill in the appropriate dates on Line 5 of the Summary Page.

Report Type	Coverage Dates	Due Date
Mid-Year	1/1/01-6/30/01 ✓	July 31, 2001
Year End	7/1/01-12/31/01	January 31, 2002
April Quarterly	1/1/02-3/31/02	April 15, 2002
July Quarterly	4/1/02-6/30/02	July 15, 2002
October Quarterly	7/1/02-9/30/02	October 15, 2002
12 Day Pre-General	10/1/02-10/16/02	October 24, 2002
30 Day Post-General	10/17/02-11/25/02	December 5, 2002
Year End	11/26/02-12/31/02	January 31, 2003

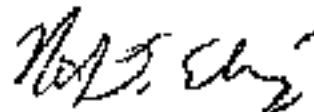
## DEMOCRATIC PARTY OF ARKANSAS

PAGE 4

5 -Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Transfers from candidate committees should be properly disclosed on a separate Schedule A, supporting Line 12 of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

A response or amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Nicholas T. Ebinger  
Reports Analyst  
Reports Analysis Division



**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**

 Use separate schedule(a)  
 or each category of the  
 Detailed Summary Page

FOR LINE NUMBER

PAGE 6/85

(check only one)

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12	<input type="checkbox"/> 17
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16	

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Democratic Party of Arkansas

Full Name (Last, First, Middle Initial)		Date of Receipt
A. Philip Hambrick		04 / 02 / 2002
Mailing Address		Amount of Each Receipt this Period
P.O. Box 633		
City	State Zip Code	1500.00
Des Arc	AR 72040-	
FEC ID number of contributing federal political committee		Receipt
Name of Employer	Occupation	Transaction ID: 0430200220C786433
Desarc Auto	Salesman	
Receipt For:	Aggregate Year-to-Date ▼	
Primary General	1500.00	
Other (specify) ▼		

Full Name (Last, First, Middle Initial)		Date of Receipt
B. Joe Holmes		04 / 02 / 2002
Mailing Address		Amount of Each Receipt this Period
22 Southern Pines Drive		
City	State Zip Code	8000.00
Pine Bluff	AR 71603-8834	
FEC ID number of contributing federal political committee		Receipt
Name of Employer	Occupation	Transaction ID: 0430200220C786886
Self Employed	Attorney	
Receipt For:	Aggregate Year-to-Date ▼	
Primary General	8000.00	
Other (specify) ▼		

Full Name (Last, First, Middle Initial)		Date of Receipt
C. Alfred Merin		04 / 02 / 2002
Mailing Address		Amount of Each Receipt this Period
PO Box 107		
City	State Zip Code	100.00
Benton	AR 72018-	
FEC ID number of contributing federal political committee		Receipt
Name of Employer	Occupation	Transaction ID: 0430200220C788044
Self Employed	Preacher	
Receipt For:	Aggregate Year-to-Date ▼	
Primary General	100.00	
Other (specify) ▼		

SUBTOTAL of Receipts This Page (optional)

7600.00

TOTAL This Period (last page this line number only)

# SCHEDULE A (FEC Form 3X) ITEMIZED RECEIPTS

Use separate schedule(s)  
of each category of the  
Detailed Summary Page

FOR LINE NUMBER:

PAGE 6/85

(check only one)

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16
<input type="checkbox"/> 17			

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Democratic Party of Arkansas

Full Name (Last, First, Middle Initial)

J D Bile

Mailing Address

10809 Executive Center Drive, Suite

City

Little Rock

State

AR

Zip Code

72211-

FEC ID number of contributing  
federal political committee.Name of Employer  
Self Employed

Occupation

cosmetic surgeon

Receipt For:

Primary

General

Other (specify) ▼

Aggregate Year-to-Date ▼

6000.00

Date of Receipt

Month	Day	Year
04	02	2002

Amount of Each Receipt this Period

6000.00

Receipt

Transaction ID: 0430200220C78724

Full Name (Last, First, Middle Initial)

B. Henry Boyce

Mailing Address

103 N Lakeside Lane

City

Little Rock

State

AR

Zip Code

72201-

FEC ID number of contributing  
federal political committee.Name of Employer  
Self Employed

Occupation

Attorney

Receipt For:

Primary

General

Other (specify) ▼

Aggregate Year-to-Date ▼

3000.00

Date of Receipt

Month	Day	Year
04	02	2002

Amount of Each Receipt this Period

3000.00

Receipt

Transaction ID: 0430200220C786314

Full Name (Last, First, Middle Initial)

C. Shirley Coleman

Mailing Address

15332 Putman Drive

City

Rogers

State

AR

Zip Code

72756-

FEC ID number of contributing  
federal political committee.Name of Employer  
Self Employed

Occupation

realtor

Receipt For:

Primary

General

Other (specify) ▼

Aggregate Year-to-Date ▼

1500.00

Date of Receipt

Month	Day	Year
04	02	2002

Amount of Each Receipt this Period

1500.00

Receipt

Transaction ID: 0430200221C791321

SUBTOTAL of Receipts This Page (optional)

10500.00

TOTAL This Period (last page this line number only)

Federal Election Commission

# **ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> First Class Mail	POSTMARKED 9-16-02
<input type="checkbox"/> Registered/Certified Mail	POSTMARKED (R/C)
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> Received from the House office of Records and Registration	Date of Receipt
<input type="checkbox"/> Received from the Senate Office of Public Records	Date of Receipt
<input type="checkbox"/> Other (Specify):	Postmarked and/or Date of Receipt
<input type="checkbox"/> Electronic Filing	
<i>861</i> PREPARER	9-16-02 DATE PREPARED

(6/2000)

2002 SEP 17 15:27:33